THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

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WRIT PETITION No.18389 of 2005

Dated: 22-08-2005

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Between:

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Kanumuri Suryanarayana Raju,

S/o.Krishnam Raju, Hindu,

Aged 60 years, Occ. Cultivation,

R/o. Gopavaram, Kaikalur Mandal,

Krishna District.

… Petitioner

And

The Revenue Divisional Officer,

Gudivada Division, Gudivada and another.

… Respondents

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ORDER:

Questioning the inaction of the 1st respondent, Revenue Divisional Officer, in considering the stay petition dated
04-08-2005 filed along with the appeal by the petitioner against the order dated 21-07-2005, passed by the
2nd respondent, Mandal Revenue Officer, the present writ petition has been filed.

The petitioner filed an affidavit in support of the writ petition contending that he is the owner and possessor to an extent of Acs.5.12 cents in Survey Nos.60/1, 60/2, 60/3 of Unikili Village, Mandavalli Mandal, Krishna District.

He further contended that he purchased the lands in question through a registered sale deed and also obtained pattadar pass books. The petitioner further contended that the

2nd respondent initiated proceedings and passed final order dated 21-07-2005 stating that he unauthorizdly purchased and occupied the lands in question, which amounts to contravention of the A.P. Assigned Lands (Prohibition and Transfer) Act, 1977. He also contended that against the order dated 21-07-2005 he filed a stay petition along with the appeal, before the 1st respondent, which was not considered by him.

Heard the learned counsel for the petitioner, the learned Government Pleader for Revenue and perused the material on record.

As the petitioner is said to be in possession of the land in question from the date of its purchase and since the stay petition filed along with the appeal is pending consideration before the 1st respondent, without going into merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent, Revenue Divisional Officer, either to consider the stay petition or dispose of the main appeal itself, within twelve weeks from the date of receipt of a copy of this order. Till such time, respondents are directed not to interfere with the possession and enjoyment of the land in question.

The Writ Petition is accordingly disposed of at the admission stage. No order as to costs.

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ELIPE DHARMA RAO, J

Dated: 22-08-2005

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